



October 1, 1998

Hon Bruce Babbitt
Secretary of the Interior
U.S. Department of the Interior
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Dear Mr. Secretary:

I have just read a copy of the recent press release issued by the Mid-Pacific Region of the Bureau of Reclamation which passed along the very good news regarding the plentiful amounts of water that the Central Valley Project has in storage as the new water year begins today.

This release brought to mind a letter I sent off months ago to Regional Directors Patterson and Spear asking how much environmental water the United States was proposing to carry over (or bank) in storage for the 1999 water year. Thus far, I have received no response to this letter, which sought some level of parity in the banking of CVP water supplies for the benefit of each of its various statutory purposes.

Section 3408(d) of the CVPIA, "Use of project facilities for water banking," specifically states that: "All or a portion of the water provided for fish and wildlife under this title [i.e., the CVPIA as a whole] may be banked for fish and wildlife purposes in accordance with this subsection."

The aforementioned press release notes that the "CVP will carry over approximately 9.3 million acre feet into the new water year, approximately 2.7 million acre feet above 1997 carryover [to 1998]."

In implementing the CVPIA, how much of this carryover supply does the Department intend to use for fish and wildlife purposes? Thank you for whatever light you can help shed on this question.

Sincerely yours,

Thomas J. Graff
Senior Attorney

cc: Hon. John Leshy, Solicitor
Hon. Patricia Beneke, Assistant Secretary
Hon. Don Barry, Assistant Secretary
Hon. Roger Patterson, Regional Director
Hon. Michael Spear, Regional Director

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